

[DOE LETTERHEAD]

November 5, 1992

The Honorable John T. Conway
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, N.W.
Suite 700
Washington, D.C. 20004

Dear Mr. Conway:

Your letter of May 28, 1992, forwarded the Defense Nuclear Facilities Safety Board (DNFSB) Recommendation 92-2 regarding the Department of Energy (DOE) Facility Representative programs at defense nuclear facilities. My letter to you of July 20, 1992, provided the DOE response to the issues raised in Recommendation 92-2 and accepted the Board's recommendation.

The enclosed implementation plan describes the approach the Department will take in response to Recommendation 92-2. Specifically, the Department will conduct an analysis of the existing DOE Facility Representative programs at defense nuclear facilities and use the results to either establish a more structured and formal Facility Representative program, or to improve, if needed, those already performing well.

Sincerely,

James D. Watkins
Admiral, U.S. Navy (Retired)

Enclosure

IMPLEMENTATION PLAN FOR DNFSB RECOMMENDATION 92-2 STRENGTHENING THE DOE FACILITY REPRESENTATIVE PROGRAM

I. INTRODUCTION

On May 28, 1992, the Defense Nuclear Facilities Safety Board (DNFSB) forwarded to the Secretary Recommendation 92-2 dealing with the Facility Representative (FR) programs at the Department's defense nuclear facilities. On July 20, 1992, the Department responded by accepting the Board's Recommendation noting that due to the differences in facilities within the Department, some variance in FR requirements may prove to be appropriate, and some existing FR programs may prove to be currently in a state acceptable to the Department. The Department's response committed to provide an implementation plan to:

- A. Conduct an analysis of the existing DOE FR programs at defense nuclear facilities, and
- B. Use the results either to establish a more structured and formal FR program at these facilities, or to improve, if needed, those already performing well.

It is important to make clear that the term "Facility Representative (FR)" is used in the context of the line management function described in the Department of Energy (DOE) Order 5000.3A, "Occurrence Reporting and Processing of Operations Information," and DOE Order 5480.19, "Conduct of Operations Requirements for DOE Facilities," and should not be confused with the Office of Nuclear Safety and Office of Environment, Safety and Health Site Representative programs that provide safety related independent oversight. The line management organization is responsible for ensuring the safe operation of its facilities. The FR, as part of the line organization, is responsible to oversee the operating contractor to ensure safety of the workers and the public. Both DOE Order 5000.3A and 5480.19 define a FR as follows:

DOE Facility Representative. For each major facility or group of lesser facilities, an individual assigned responsibility by the Head of the Field Organization for monitoring the performance of the facility and its operations. This individual shall be the primary point of contact with the contractor and will be responsible to the appropriate DOE Program Secretarial Officer (PSO) and Head of the Field Organization.

As the Board noted, several Field Office Managers have developed formal FR programs within the defense nuclear facilities complex. A lack of Department-wide guidance has resulted in some instances of widely differing programs between these facilities. The Department agrees with the Board that the root cause of the inadequate FR programs at some facilities is the lack of centralized direction on FRs. To correct the basic problem, the Department will develop a DOE Standard on FRs. This DOE Standard on FRs will provide formal headquarters guidance on an acceptable FR program. Additionally, the Department will develop an action plan that identifies specific commitments and schedules to quickly implement improvements in DOE FR programs. These improvements will be

based on the best practices of the existing, well-running FR programs identified in the analysis. DOE Headquarters is committed to working with the Field Offices to implement an effective FR program that provides for safe and efficient operation on its facilities. The implementation of a DOE Standard on FRs resulting in demonstrated improvements in the FR program will be considered by the Department as closure for this recommendation.

II. PLAN

The following steps outline the plan for improving the Department's FR programs.

- A. Conduct an analysis of the existing FR programs and determine, the best practices to use for a DOE Standard on FRs.
- B. Define the duties, responsibilities, training, and qualifications required of FRs.
- C. Define the organizational structure showing the functional relationships of a FR within line management.
- D. Define the application of a "Graded Approach" for a FR program at the defense nuclear facilities requiring a FR. Define the requirements to be applied to FRs at facilities that vary in risk and complexity.
- E. Evaluate possible changes to personnel practices that could enhance the Department's ability to recruit and retain highly qualified people for FR positions.
- F. Evaluate the personnel and management resources required to establish and maintain an effective FR program.
- G. Provide an action plan that identifies the specific commitments and schedules to implement improvements in FR programs.
- H. Provide a DOE Standard on FRs to the Field Offices based on the information obtained from the above steps.

III. ASSIGNMENTS

The Secretary has tasked all involved Program Secretarial Officers (PSOs) to work together to conduct an analysis of existing FR programs. The lead in this effort is the Assistant Secretary for Nuclear Energy (ASNE). The ASNE will provide overall direction for this effort. The Deputy Assistant Secretary for Policy and Management, Office of Nuclear Energy will provide the required coordination and support. Other involved PSOs include: Defense Programs (DP); Environmental Restoration and Waste Management (EM); and Energy Research (ER). Other involved Headquarters offices include: Nuclear Safety (NS); Environment, Safety and Health (EH); Departmental Representative to the DNFSB (DR); and Administration and Human Resource Management (AD). Each involved PSO will provide representatives to a task force that

will conduct the analysis, develop the action plan, and develop the DOE Standard on FRs. Each PSO is responsible for implementing the FR program at their facilities.

IV. ANALYSIS

An analysis of existing FR programs will be conducted using a task force that consists of representatives from the Headquarters elements listed above and several representatives from the Field Offices. The task force will collect and analyze the data on FR programs and make recommendations to Headquarters concerning required guidance. DOE Headquarters will review the data and analysis, formulate Headquarters policy, and develop the DOE Standard for review and approval by the PSOs and by the Secretary, if appropriate.

Although the primary emphasis will be on defense facilities, the analysis will include non-defense nuclear facilities and will receive input from DOE managers with extensive previous experience in the Naval Reactors FR program and the Nuclear Regulatory Commission Resident Inspector program. The analysis will include consideration of the following factors:

- A. **Duties and Responsibilities.** Headquarters guidance on required duties and responsibilities will be provided in the DOE Standard on FRs. A FR's specific duties and responsibilities will be prescribed by Field Office procedures. Guidelines on the expected duties and responsibilities of FRs will be developed. These will require tailoring by the Field Offices to match the specific requirements of each facility or group of lesser facilities covered by each FR. A FR's duties, responsibilities, number of assigned facilities, and management effort will be guided by the facility's complexity and risk, mission, worker and public safety, and potential environmental impact.
- B. **Recruitment Practices.** Recruitment practices employed in the selection of FRs involve the general employment practices of the Field Office and other requirements such as those of the Office of Personnel Management (OPM). The analysis will include retention issues such as: appropriate grade levels, whether a FR should be in the Performance Management Recognition System (PMRS), cash bonuses, and compensation for overtime worked. Most Field Office employees will enter a FR position and leave as part of a larger Field Office employee development program. FRs will be brought into the DOE Field Office system under existing programs and receive career development training. Exceptional employees with the required technical capabilities and forcefulness will be drawn from this pool to receive formal site- and facility-specific training leading to qualification and assignment as a FR. These and other practices will be analyzed to determine how FR recruitment practices will best serve the Department's needs.
- C. **Training, Examination, and Qualification Requirements.** The qualification requirements for a FR will depend on the type of facility involved. The Department will provide guidance on qualification requirements, using a graded approach, taking into consideration differences in the complexity and risk associated with various DOE facilities.

A FR should be adequately trained and qualified to carry out the assigned duties and

responsibilities. For this purpose, a formal facility-specific FR training and qualification program should be in place.

Initial training will include core, non-facility-specific subjects as specified in the FR Standard. Possible subjects could include: general employee training; basic radiation worker training; training on FR inspection techniques; training on occurrence reporting; training on the conduct of operations; and training on the conduct of maintenance. The analysis will consider whether this core training should be conducted as part of a DOE-wide centralized training program or locally as part of each Field Office's training program.

Facility-specific training and examination requirements will be determined by the Field Office within the requirements specified by the Department in the FR Standard. Possible facility-specific training could include: facility-specific programs, policies, and procedures; facility systems and components; and emergency response requirements.

The DOE Field Office should determine the satisfactory completion of each FR's training and qualification through written and/or oral examination. Additionally, the analysis will evaluate continuing education, improvement programs, and requalification requirements that are appropriate to maintain FR proficiency.

- D. **Organizational Structure.** Clear lines of supervision, management, and authority will be established between the FR and the contractor operating the facility, the Field Office, and the Headquarters PSO. A FR's scope of authority and relationship with the contractor must be clearly defined in writing and understood by the contractor.
- E. **Assignment.** The criteria and practices for assigning DOE FRs is closely related to their qualification requirements and recruitment practices discussed in paragraph IV.B above. Only persons who meet the qualification requirements will be considered for FRs.

Employment incentives and impediments and career path considerations will be investigated as part of the analysis. Guidelines on the education level, professional experience, technical expertise, and management abilities required of a FR will be developed. These guidelines will be applied using a graded approach to accommodate the wide range of complexity and risk at DOE facilities.

- F. **Graded Approach.** It would be desirable to have a FR for each reactor and nonreactor nuclear facility. However, personnel and budget considerations may make this impractical. The analysis will determine the appropriate scope of facilities that warrant specific coverage by a FR.

A matrix that defines the graded approach for FR requirements will be developed. This matrix will use a facility's complexity or risk along with its operational status or activity level (e.g. operational or high activity, transitional or moderate activity, decontamination & decommissioning, environmental restoration & remediation, shutdown or low activity)

to specify the level of training, qualification, and in-the-facility coverage required of each FR commensurate with the hazards and activities at the facility.

DOE Order 5480.23, "Nuclear Safety Analysis Reports," provides some guidance on evaluating the risk and complexity of a nuclear facility and will be used in the development of the FR requirements matrix. The matrix will specify various levels of requirements to be applied to FRs that cover nuclear facilities of different risk and complexity levels.

- G. Resource Estimate. The analysis will include an estimate of the personnel and management resources required to establish and maintain an effective FR program. This estimate will include personnel requirements both at headquarters and the field offices, implementation costs, and maintenance costs.

V. ACTION PLAN

Most DOE Field Offices have FR programs in various stages of development and maturity. Some have very mature programs while others have programs in the initial stages of development. The action plan will strive to limit its impact on the satisfactorily operated, mature programs, learn from these, and apply that knowledge to help those programs that are less mature. Providing the Field Offices some flexibility in their FR programs recognizes the wide diversity of DOE defense nuclear programs. In order to limit the impact on personnel and management resources, it is expected that the majority of the FR program will be implemented using existing Field Office resources that are restructured, as required, to support a more structured FR program.

An action plan will be developed to implement immediate improvements in the FR programs, based on our analysis of existing programs. The task force will be responsible for implementing the action plan. The DOE Standard on FRs will follow the action plan to institutionalize the required improvements. As a minimum the action plan will cover:

- o Determining which facilities require FRs;
- o FR duties and responsibilities;
- o Required training, examination, and qualification;
- o Changes in personnel practices;
- o A review of progress made in implementing changes.

VI. SCHEDULE

January 1993	Complete data collection of existing FR programs.
March 1993	Complete analysis. Provide analysis to the Field and Headquarters for review. Provide a written status report to the Board on the results of the analysis. Provide the action plan to the Board.
May 1993	Provide the draft DOE Standard on FRs to the Field and Headquarters for review.

August 1993

Publish approved FR Standard. Provide written status report to the Board.
On approximately a quarterly basis, provide a written status report to the Board on progress made on the action plan and implementation of the DOE Standard on FRs.